IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 2853 OF 2006.

Hanmant Ganpati Koli and others. ... Appellants.
Versus.
Smt.Sonabai Vilas Gujale & others. ... Respondents.

Shri Raju Yomgar holding for Mrs.S.D.Khot for the Appellants.

Shri P.G.Lad for the Respondents Nos.1 to 4.

CORAM : ABHAY S.OKA, J.

DATED : 23rd February, 2007.

P.C.:

1. Heard the learned Advocate appearing for the Appellants and the learned Advocate for the Respondents Nos.1 to 4. The Advocate for Respondents Nos.1 to 4 states that the 5th and 7th Respondents have expired in 1990 and 1991 respectively and apart from the deceased Vilas, they have no other legal representatives. The Appellants have offered to pay a sum of Rs.94,860/- in full and final settlement of the claim of the 1st to 4th Respondents in Motor Accident Claims Petition No.69 of 1984. The learned Advocate for the 1st to 4th Respondents states that the said Respondents are ready and willing to accept the said amount in full and final settlement of their claim. Accordingly, the learned Advocate for the Appellants has handed over to the Advocate for the 1st to 4th Respondents a demand draft for Rs.94,860/- drawn in the name of the 1st Respondent. The Advocate for the 1st to 4th Respondents states that

the 1st Respondent has accepted the said amount for herself and on behalf of the other three Respondents.

2. In view of the aforesaid statements, the Appeal is disposed of by directing that there is no subsisting claim of the 1st to 4th Respondents against the Appellants and the impugned Award shall be marked as satisfied. The Appeal is disposed of accordingly.

Judge.